



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RAYMUNDO MUNIZ, on behalf of himself :
and others similarly situated in the proposed :
FLSA Collective Action, :
:

Plaintiff, :

- against - :

BRIAN SAHD and BANANA KELLY :
COMMUNITY IMPROVEMENT :
ASSOCIATION, INC., :
:

Defendants. :
-----X

22-CV-10876 (RA) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Plaintiff commenced this case on December 26, 2022. An electronic summons issued the following day December 27, 2022. There is no indication on the docket, however, that Plaintiff has served the summons on Defendants. It is the Plaintiff's responsibility to make sure that service occurs within 90 days of the complaint being filed. The deadline to do so expired by the end of March 2023. Accordingly, the Court sua sponte grants an extension of time nunc pro tunc to serve the summons and complaint by October 27, 2023 and file proof of service by November 3, 2023. If Plaintiff fails to comply with those deadlines, the case will be dismissed without prejudice for failure to prosecute.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: September 27, 2023
New York, New York

Copies transmitted this date to all counsel of record.